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Attorneys for Plaintiff

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

EDWARD TOBIN, individually and
on behalf of all others similarly
situated,

Plaintiff,

v.

SAMSUNG ELECTRONICS
AMERICA, INC.,

Defendant.

Civil Action No. 2:18-cv-12473-JLL-
SCM

**STIPULATION AND CONSENT ORDER EXTENDING TIME FOR
PLAINTIFF TO RESPOND TO DEFENDANT'S MOTION TO DISMISS**

Plaintiff Edward Tobin ("Plaintiff") and Defendant Samsung Electronics America, Inc. ("Defendant"), by and through their undersigned counsel, stipulate and agree as follows:

The Complaint in this lawsuit was filed on August 6, 2018. Defendant was served with process on or around August 14, 2018.

Following a stipulated extension of the time for Defendant to move or answer (Dkt. No. 5), Defendant filed a motion to dismiss the Complaint on October 4, 2018, supported by a 40-page memorandum of law. Per the Local Rules of this District, Plaintiff's opposition is due on October 22, 2018.

Given the factual and legal issues presented, Plaintiff requests a 3-week extension of time to respond to Defendant's motion, from October 22, 2018 to November 5, 2018. This is Plaintiff's first request for an extension in this action, which Defendant does not oppose on the condition that a corresponding extension is applied to the due date for its reply brief.

There has been one prior extension of time in this matter. On September 4, 2018, the parties' stipulated for a 30-day extension of time for Defendant to respond to Plaintiffs' Complaint. *See* Dkt. No. 5.

Accordingly, the parties respectfully request that the Court so order the following agreed-upon extensions:

- (1) Plaintiff's deadline to respond to Defendant's motion to dismiss shall be ~~extended to November 12, 2018;~~ ~~5~~ ~~December 10, 2018; and~~ ~~November 13~~ ~~(3)~~ ~~The motion return date for Defendant's motion to dismiss shall be~~ ~~extended to December 17, 2018.~~ ~~November 19~~
- (2) Defendant's reply in support of its motion to dismiss shall be ~~extended to~~ ~~December 10, 2018; and~~ ~~November 13~~ ~~(3)~~ ~~The motion return date for Defendant's motion to dismiss shall be~~ ~~extended to December 17, 2018.~~ ~~November 19~~
- (3) The motion return date for Defendant's motion to dismiss shall be ~~extended to~~ ~~December 10, 2018; and~~ ~~November 13~~ ~~(3)~~ ~~The motion return date for Defendant's motion to dismiss shall be~~ ~~extended to December 17, 2018.~~ ~~November 19~~

DATED: October 9, 2018

BURSOR & FISHER, P.A.

By: s/ Andrew J. Obergfell

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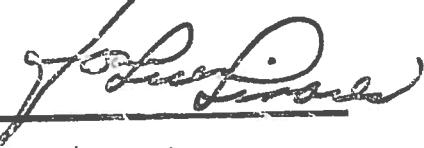
By: s/ Kenneth L. Chernof

Kenneth L. Chernof
(*Pro Hac Vice*)
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Attorneys for Defendant

SO ORDERED:

DATED:



10/10/2018